

CHAPTER NO. 293

HOUSE BILL NO. 585

By Representatives Bittle, Buck, Jackson, Buttry, Newton, Tidwell, Gunnels, Pleasant, Walker, McKee, Montgomery, David Davis, Sands, Walley, Hargett, Ronnie Davis, Scroggs, Wood, Ridgeway, Roach, Beavers, Ford, Hagood, McCord, Mumpower

Substituted for: Senate Bill No. 1523

By Senators Ramsey, Williams, Miller

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13, relative to the regulation of firearms.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-1314, is further amended by adding the following as new subsections:

(b) The General Assembly declares that the lawful design, marketing, manufacture and sale of firearms and ammunition to the public is not unreasonably dangerous activity and does not constitute a nuisance per se.

(c)

(1) The authority to bring suit and right to recover against any firearms or ammunition manufacturer, trade association or dealer by or on behalf of any State entity, county, municipality or metropolitan government for damages, abatement or injunctive relief resulting from or relating to the lawful design, manufacture, marketing or sale of firearms or ammunition to the public shall be reserved exclusively to the State.

(2) Nothing in this subsection shall be construed to prohibit a county, municipality, or metropolitan government from bringing an action against a firearms or ammunition manufacturer or dealer for breach of contract or warranty as to firearms or ammunition purchased by such county, municipality, or metropolitan government.

(3) Nothing in this subsection shall preclude an individual from bringing a cause of action for breach of a written contract, breach of an express warranty, or for injuries resulting from defects in the materials or workmanship in the manufacture of the firearm.

SECTION _____. The provisions of this act shall not apply in any litigation brought by an individual against a firearms or ammunition manufacturer, trade association or dealer.

SECTION 2. The provisions of this act shall apply to any action brought on or after the effective date of this act.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 20, 1999



JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 26th day of May 1999



DON SUNDQUIST, GOVERNOR